

EXHIBIT R

12 The Financial Oversight and)
13 Management Board for)
14 Puerto Rico,) Docket No. 3:20-AP-00003 (LTS)
15)
16 as representative of)
17)
18 The Commonwealth of)
19 Puerto Rico, et al.) in 3:17-BK-3283 (LTS)
20)
21 Plaintiff,)
22)
23)
24 v.)
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26)
27 Ambac Assurance Corporation,))
28 et al.)
29)
30 Defendants.)

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3 The Financial Oversight and)
4 Management Board for)
5 Puerto Rico,) Docket No. 3:20-AP-00004 (LTS)
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7 as representative of)
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9 The Commonwealth of)
10 Puerto Rico, et al.) in 3:17-BK-3283 (LTS)
11)
12 Plaintiff,)
13)
14 v.)
15)
16)
17 Ambac Assurance Corporation,)
18 et al.)
19)
20 Defendants.)

14 The Financial Oversight and)
15 Management Board for)
16 Puerto Rico,) Docket No. 3:20-AP-00005 (LTS)
17)
18 as representative of)
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20 The Commonwealth of)
21 Puerto Rico, et al.) in 3:17-BK-3283 (LTS)
22)
23 Plaintiff,)
24)
25 v.)
26)
27 Ambac Assurance Corporation,)
28 et al.)
29)
30 Defendants.)

1 they're -- you know, Ms. Miller said they were being targeted,
2 because they hadn't asked for, quote, everything. That's not
3 our view of what being targeted is. And I think that's what
4 the Court has to resolve today, so that this doesn't balloon
5 out of control.

6 THE COURT: Well, I think that the fundamental that
7 I'd like you all to think about and we'll circle around to is
8 how to define and have input into the appropriate places to
9 look for these materials. I mean, if you're interviewing
10 people who have knowledge about it, it seems to me that Ambac
11 or that the defendants are going to turn around and say, well,
12 we should be able to depose these people. Somehow they need
13 to be disclosed in this, if these are the people with
14 information.

15 MS. MCKEEN: Well, I suppose -- I suppose I haven't
16 tussled with that just because the idea that the kinds of
17 folks who know where to send us to look for materials are the
18 same folks that you'd want to depose about the underlying
19 subject matter. I'm not sure again that that would be
20 efficient here. I don't think that we need to have discovery
21 about the discovery process. I think if --

22 THE COURT: I think that's part of the problem,
23 though. I'm sorry. I didn't mean to interrupt you, but that
24 is part of the problem. It has to do -- when I read these,
25 it's like ships passing in the night. It's your opening that

1 says, but we are producing these things; and the defendant
2 saying, they're limiting their production to some central
3 file, which I don't know what it is, and I don't understand
4 the investigation that goes into it.

5 That's been a fundamental disconnect, I think, since
6 we started discovery in this many, many years ago; and I think
7 we need to spend a little time on how to make that a better
8 communication, so that if the defendants are feeling that
9 they're not getting -- they always have to bring their motion
10 to compel before they've had a chance to review the documents,
11 because obviously we're in a short time frame here, but the
12 search has to be complete on the topics. And --

13 MS. MCKEEN: I think -- I think to the extent the
14 Court thinks it would be helpful for us to provide more
15 detailed information about our searches, that is absolutely
16 something that we're willing to do, because, as I said before,
17 we think those searches have been robust, and, as I said,
18 continue to be robust, because we're not finished yet.

19 So that's information that we can provide. I think,
20 you know, while we want to be transparent, you know, we still
21 want to be efficient. And I don't think the fact that we talk
22 to somebody about, like, hey, where might a certain document
23 be necessarily means that person ought to be deposed, but
24 that's of course a discussion we could have at a future date.

25 I don't see any concern with saying that we have to